

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THEODORE LEE, SHELTON EAVES,
Plaintiffs,
v.
NANCY A. BERRYHILL,
Defendant.

Case No. [17-cv-03976-SI](#)

**ORDER DENYING MOTION FOR
EXTENSION OF TIME AND
DISMISSING SHELTON EAVES FROM
THIS ACTION**

Re: Dkt. No. 12

On July 14, 2017, plaintiff “Theodore Lee Shelton Eaves” filed *pro se* a complaint in this case, entitled “Complaint for Judicial Review of Decision of Commissioner of Social Security.” Docket No. 1. It was unclear to the Court at the time whether the case was being brought by one person or two. *See id.*; Docket No. 5. The Court gave plaintiff information to contact the Legal Help Center for assistance and ordered that a new complaint be filed by August 8, 2017. Docket No. 5. On July 25, 2017, Theodore Lee filed a new complaint. Docket No. 7. On August 8, 2017, Shelton Eaves filed a motion for an extension of time. Docket No. 12.


It has become apparent from the recently filed papers that there are two plaintiffs in this case, Theodore Lee and Shelton Eaves, and that Mr. Eaves does not state a claim for relief. Mr. Eaves’s motion states that his July 14 filing was an effort “to see if I could get on SSI” *Id.* at 2. He is seeking an extension of time “to fil[e] for my Social Security” *Id.* This Court does not decide applications for Social Security benefits. This Court reviews decisions that the Commissioner of Social Security makes. 42 U.S.C. § 405(g). **If Mr. Eaves wishes to apply for SSI, he should contact the Social Security Administration at 1-800-772-1213.** By calling that number, he can learn where his local Social Security Office is and can learn about how to apply for SSI.

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Because this Court cannot rule on whether Mr. Eaves is entitled to SSI in the first instance,
**Mr. Eaves’s motion for an extension of time is DENIED and Mr. Eaves is DISMISSED from
this action.**

IT IS SO ORDERED.

Dated: August 23, 2017



SUSAN ILLSTON
United States District Judge